

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.01.2019

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Crl.O.P.No1174 of 2019

S. Loganathan

...Petitioner

Vs.

The State rep by
Inspector of Police,
B-4, Baluchettychatram Police Station,
Kancheepuram District.
(Crime No.519 of 2018)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to set aside the docket order dt.10.12.2018 passed by the learned Judicial Magistrate-I, Kancheepuram in an unnumbered petition filed by the petitioner for return of his lorry bearing registration number TN 23 AF 9727 as not maintainable and direct the respondent police to return the said vehicle, which is seized by the respondent police in crime No.519 of 2018 and the same is still under the custody of the respondent police, to the petitioner.

For Petitioner : Mr.A.Balamuguran

For Respondent : Mr.M.Mohamed Riyaz, APP

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate-I, Kancheepuram, to dispose of the petition filed by the petitioner seeking for return of the vehicle, which has been seized by the respondent police in Cr.No.519 of 2018, for the offences under Sections 379 & 430 IPC, 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, & 3 (1) of TNPPDL Act, 1992.

2. This Court has given detailed guidelines with regard to the manner in which the petition for return of vehicle should be dealt with, whenever the same is seized under the above said Act. The guidelines were given in W.P.(MD).Nos.19936 of 2017, 7595, 18606, 18802, 20487, 20259, 20948, 18917, 18428, 18429, 18958 and 21485 of 2018 dated 29.10.2018.

3. Paragraph 13 of the said order specifically deals with the manner in which the concerned Courts will have to deal with the petition filed for return of vehicle.

4. This Criminal Original Petition is disposed of, with a direction to the learned Judicial Magistrate-I, Kancheepuram, to pass appropriate orders in the petition filed by the petitioner for return of vehicle, by following the guidelines issued by this Court in the order referred supra, within a period of two weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

- 1.The Judicial Magistrate-I,
Kancheepuram.
 - 2.Inspector of Police,
B-4, Baluchettychatram Police Station,
Kancheepuram District.
 - 3.The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.A.Balamurugan, Advocate, S.R.No.4405

rrs 22/01/2019

Crl.O.P.No.1174 of 2019

सत्यमेव जयते

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